

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11

BH S&B HOLDINGS LLC, *et al.*,

Case No. 08-14604 (MG)

Debtors.

(Jointly Administered)

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OFFICIAL COMMITTEE OF UNSECURED
CREDITORS, on behalf of DEBTORS,

Plaintiffs,

Adv. P. No. 09-01289 (MG)

v.

HAROLD KAHN,

Defendant.

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ORDER SETTING MEDIATION DEADLINES

By Order dated October 6, 2009, the Hon. Cecelia Morris (“the Mediator”) was appointed mediator in the above-captioned adversary proceeding. It is hereby

ORDERED, that the parties in the above-captioned adversary proceeding (“the Mediation Parties”) shall furnish the Mediator with copies of such documents and such confidential statement of position as the mediator may request; and it is further

ORDERED, that within twenty days of appointment, the Mediator shall schedule an initial mediation session; and it is further

ORDERED, that this mediation shall be conducted in accordance with the United States Bankruptcy Court of the Southern District of New York Amended General Order for the Adoption of Procedures Governing Mediation of Matters in Bankruptcy Cases and Adversary Proceedings dated January 17, 1995, as amended October 20, 1999 (the “General Mediation Order”); and it is further

ORDERED, that the Mediation Parties shall attend such mediation sessions as the Mediator shall deem appropriate and necessary at such times and places as the mediator shall determine; and it is further

ORDERED, that each party shall be accompanied by a person with full settlement authority at each mediation session;

ORDERED, that within ten days following the initial mediation session, the Mediator shall advise the Court by letter (with a copy to the Mediation Parties) of the status of the mediation and whether the mediator intends to schedule additional mediation sessions (the "Status Letter"). **The Status Letter shall not be filed with the Court**; and it is further

ORDERED, that within two days following the conclusion of mediation, the Mediator shall file with the Court a Final Report pursuant to Section 3.4 of the General Mediation Order; and it is further

ORDERED, that if the Final Report has not been filed on December 1, 2009, the Mediation Parties shall appear before the Court on December 16, 2009, at a status conference on the above-captioned adversary proceeding at 10:00 a.m. at the Courthouse located at One Bowling Green, New York, New York 10004, in Courtroom 501; and it is further

ORDERED, that within one day after the entry of this Order, the attorneys for each of the Mediation Parties shall send a copy of this Order to (1) each of the individual Mediation Parties that such attorney represents; and/or (2) the principal, officer, director or other person with full settlement authority for each entity that such attorney represents.

Dated: October 6, 2009
 New York, New York

/s/ Martin Glenn
United States Bankruptcy Judge